

APPROVED MINUTES NOVEMBER 9, 2005
CITY OF GUNNISON
PLANNING & ZONING COMMISSION
REGULAR MEETING
Rev 12/5/05

MEMBERS	PRESENT	ABSENT	EXCUSED
DIANE LOTHAMER, CHAIR	X		
HARVEY HARRIMAN – VICE CHAIR	X		
JIM SEITZ	X		
BOB BEDA			X
JONATHAN HOUCK	X		
COUNCILMEMBER ELLEN HARRIMAN	X		

OTHERS PRESENT: DIRECTOR STEVE WESTBAY, PLANNER KIM ANTONUCCI, PLANNING TECHNICIAN ANDIE RUGGERA, RICHARD KARAS, JOHN BUSCOVICK, MIKE PELLETIER, TL LIVERMORE, PAUL H. GERY, BETH WYMAN AND OTHER CONCERNED CITIZENS.

CALL TO ORDER AT 7:00PM BY CHAIR LOTHAMER

PLEDGE OF ALLEGIANCE TO THE FLAG

PUBLIC HEARING

Chair Lothamer opened the public hearing at approximately 7:02p.m. for Zoning Amendment ZA 05-5, for the request to rezone 202 East Georgia Avenue from R2 to B1 and for Conditional Use CU 05-8, for the request of a government administrative office in the B1 district.

Proof of publication was shown for the record.

Director Westbay reviewed the application and stated Gunnison County would like to use the subject property as a government administrative office for a Family Crisis Center. Westbay stated staff recommends denial based on the fact that rezoning would set a precedence of extending a higher intensity use into a neighborhood with historic residential use since the original city incorporation.

Mike Pelletier, the Gunnison County Long Range Planner, represented the applicant. Mr. Pelletier stated the application is consistent with the City's Master Plan and that it is common for business uses to face each other. Mr. Pelletier discussed the following:

- Gunnison County care of the property would be better than a rental property;
- County ownership could be a potential enhancement to the neighborhood;
- Mixing compatible uses makes a compatible diversity and feels appropriate;

- The community is growing, there is a need for social services work, and the County would like a home setting for this type of work;
- The County didn't get a grant for a Family Crisis Center; however, they would like to continue with the application and possibly rent the house until funding occurs;
- The center would not be used as a safe house and the hours of operation for the center would be mostly daytime use with possible night meetings;
- The County would be willing to work with neighbors for buffering; and
- Proposed use should not be a nuisance to neighbors and the traffic should remain low.

The following public comments were received:

Paul H. Gery – 314 North Iowa, directly north of the subject property

Mr. Gery stated that 40 years ago the structure was a fraternity house and it was hard to visualize the County use to be worse. Mr. Gery stated concerns of the center becoming a halfway house, of multi-family use until funding for the center occurs, of the County adding on to the structure and blocking his solar heating system, signage regulations, and snow removal in the alley. Mr. Gery stated he was not opposed to the use; however, he was not enthused about the proposed use.

John Buscovick – 214 East Georgia, directly to the east of the subject property

Mr. Buscovick stated a concern of the property becoming a parking lot if rezoning occurred and the new jail was also built. He stated the idea of a crises center didn't bother him too much if it was done in a tasteful manner and the character of the house remained. Mr. Buscovick stated if the County rents the home until funding occurs, it would be nice if it was rented to a family and not a bunch of students.

The Commission discussed the following:

- The natural gas meter where proposed parking is located;
- A concern with the definition of a crises center;
- The application being very vague on the content of operation and all proposed activities;
- The building facing south toward the Court House; and
- Option of remanding the application back to the applicant for more information.

Chair Lothamer closed the public hearing at approximately 8:04p.m.

CONSIDERATION OF OCTOBER 26, 2005 MEETING MINUTES

Commissioner Seitz moved to approve the meeting minutes of October 26, 2005 as amended. Commissioner Harriman seconded the motion.

Roll Call Yes: Lothamer, Houck, Ellen, Harvey, and Seitz

Roll Call No: None

Motion Carried

POSSIBLE RECOMMENDATION – ZONING AMENDMENT – ZA 05-5, BY GUNNISON COUNTY FOR THE REQUEST TO REZONE 202 EAST GEORGIA AVENUE FROM DUPLEX RESIDENTIAL (R2) TO THE BUSINESS PROFESSIONAL DISTRICT (B1)

Commissioner Harriman moved to remand application ZA 05-5, for a request to rezone 202 East Georgia Avenue from R2 to B1, to Gunnison County to develop more specificity. Commissioner Houck seconded the motion.

Roll Call Yes: Seitz, Lothamer, Ellen, Houck, and Harvey

Roll Call No: None

Motion Carried

POSSIBLE RECOMMENDATION – CONDITIONAL USE – CU 05-8 BY GUNNISON COUNTY FOR THE REQUEST OF A GOVERNMENT ADMINISTRATIVE OFFICE AT 202 EAST GEORGIA AVENUE IN THE BUSINESS PROFESSIONAL DISTRICT (B1)

Commissioner Harriman moved to remand application CU 05-8, for a request of a government administrative office at 202 East Georgia Avenue in the B1 district, to Gunnison County to develop more specificity. Commissioner Houck seconded the motion.

Roll Call Yes: Seitz, Lothamer, Ellen, Houck, and Harvey

Roll Call No: None

Motion Carried

POSSIBLE RECOMMENDATION – ZONING AMENDMENT – ZA 05-3, TO REZONE MEADOWS VILLAGE FROM PUD R2M AND R3 ZONING TO A MODIFIED PUD R1 ZONING

The Commission discussed modifications made to the dimensional standards table for the proposed PUD R1M zoning and the findings of fact. There was concern for the rear setbacks facing Colorado Street.

Commissioner Harriman moved to recommend approval to City Council of zoning amendment ZA 05-3, Meadows Village, with the following amended findings:

1. The Planning and Zoning Commission finds that the record of this action includes the application contents on file with the City of Gunnison; all comments entered into the Public Hearing record; provisions of the City of Gunnison Land Development Code; and the City of Gunnison Master Plan Volumes I and II (1994).
2. Based on the provisions of the City of Gunnison Land Development Code, a public hearing was held by the Planning and Zoning Commission (October 26, 2005), and the Commission hereby finds that no comments in opposition of this application were received.

3. The Planning and Zoning Commission finds that this zoning amendment application is determined to be consistent with the Criteria Statements that provide directive for all rezoning applications.
4. The Planning and Zoning Commission finds that the proposed zoning amendment protects the financial expectations of individuals who purchase property within this subdivision without reliance upon established covenant provisions.
5. The Planning and Zoning Commission finds that the proposed zoning amendment ensures that assumptions, regarding exclusive single family use, made during the subdivision approval process will not be altered in the long term.
6. The Planning and Zoning Commission finds that this zoning amendment serves to protect the subdivision drainage design and circulation system as contemplated and approved with this subdivision.
7. The Planning and Zoning Commission finds that the community's health, safety and general welfare shall be maintained as a result of the zoning amendment.
8. The Planning & Zoning Commission finds that this zoning amendment establishes a PUD R-1M zoning district, and the *Meadow Village Lot Regulation Table* shall hereby be used to regulate the development on individual lots within the *Meadows Village A Resubdivision of Lots 11, 13 & 14, the Meadows, Phase 1-R, City of Gunnison, Gunnison County, Colorado*

Commissioner Seitz seconded the motion.

Roll Call Yes: Lothamer, Houck, Seitz, and Harvey

Roll Call No: None

Abstain: Ellen – will vote with City Council

Motion Carried

THREE MILE COUNTY REFERRAL – LUC 205-54, WYMAN – FOR AN INDUSTRIAL/COMMERCIAL USE OF A WOOD SHOP WITHIN THE URBAN GROWTH BOUNDARY

The Commission and staff visited the site on October 28th; the visit was very instructive for the Members. There was discussion on the following:

- A concern that area is a residential use and not appropriate for industrial use;
- Industrial use verses home occupation with a concern of the County calling the application an industrial use; and
- A concern for the possibility of spills or floods.

The Commission directed staff to meet with County staff and discuss the application and the definition of industrial use verses home occupation.

COUNCIL UPDATE

Councilmember Harriman stated Council held a public hearing for the City's budget, appointed Alan Pallaoro to the Planning and Zoning Commission, sent a letter to

support the Forrest Service Trail Improvement grant, and approved a zoning amendment for Craig Duncan.

ADJOURNED

Chair Lothamer closed the meeting at approximately 9:15p.m.

Diane Lothamer, Chair

Attest:

Andie Ruggera, Secretary